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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 MICHAEL MOI,

9 Plaintiff,

10 v.

11 CHIHULY STUDIO, INC., *et al.*,

12 Defendants.

No. C17-0853RSL

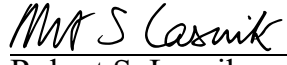
ORDER DENYING DEFENDANTS'
MOTION FOR RETURN OF
DOCUMENTS

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14 This matter comes before the Court on the “Chihuly Defendants’ Motion for Order re
15 Dale Chihuly’s Private Documents Retained by Plaintiff Moi.” Dkt. # 186. Defendants
16 essentially seek summary disposition of their conversion counterclaim in which they allege that
17 plaintiff “possesses personal and confidential private documents of Dale’s that he continues to
18 hold despite Dale’s demand that they be returned.” Dkt. # 3 at ¶ 6. These assertions have not
19 been proven. In fact, defendants opted to voluntarily dismiss the conversion counterclaim.

20 Defendants cannot obtain the relief requested simply by filing a motion untethered to any
21 existing claim. The motion will therefore be DENIED. The Court notes, however, that the
22 dismissal is without prejudice. If plaintiff or his agents have wilfully interfered with Mr.
23 Chihuly’s right to his property without lawful justification, defendants are free to seek any and
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1 all appropriate relief in another action.¹

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3 Dated this 7th day of October, 2019.

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5 Robert S. Lasnik
6 United States District Judge
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23 ¹ The Court has reviewed and considered the Declaration of Anne M. Bremner, plaintiff's first
24 counsel in this matter. Dkt. # 192. Now that plaintiff's copyright claims have been dismissed and there
25 is no plausible justification for needing to prove the nature of plaintiff's relationship with Mr. Chihuly,
26 the Court expects that, in keeping with her excellent reputation for integrity and reasonableness, counsel
will prevail upon her former client for permission to return any and all copies of the "sensitive
documents" that she retains at this juncture.